

## Message Text

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ACTION EUR-08

INFO OCT-01 SS-14 ISO-00 NSC-05 NSCE-00 DHA-02 INR-05  
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P 031454Z MAY 77  
FM AMEMBASSY SOFIA  
TO SECSTATE WASHDC PRIORITY 2804

C O N F I D E N T I A L SECTION 1 OF 2 SOFIA 0912

LIMDIS

E.O. 11652: GDS  
TAGS: SHUM, CGEN, PFOR, BU (MAREVA, RUMYANA AND YORDANKA)  
SUBJECT: MAREV CASE -- NEXT STEPS

REF: A) STATE 91903; B) SOFIA 0280; C) STATE 306046;  
D) SOFIA 0791; E) 76 SOFIA 2713; F) SOFIA 0341; G) 76  
SOFIA 1901; G) SOFIA 0891; I) SOFIA 0699; J) SOFIA 0611

1. SUMMARY: REVIEWING MAREV CASE IN LIGHT OF DEPUTY SECRETARY' APRIL 19 MEETING WITH THEM, EMBASSY OFFERS OBSERVATIONS ON WHERE WE STAND NOW AND WHAT MORE WE CAN DO. WE RECOMMEND URGENT DEMARCHE BY DEPUTY SECRETARY TO AMBASSADOR POPOV IN ORDER TO HEAD OFF SCHEDULED COURT ACTION IN VARNA MAY 20, AND PROVIDE TALKING POINTS. OUR OVERALL ASSESSMENT IS THAT MAREVS TYMSELVES, BY REFUSING TO HALT DEMONSTRATION OR TO HAVE MRS. MAREV VISIT, HAVE DIMMED CHANCES FOR SUCCESSFUL RESOLUTION. END SUMMARY.

2. HAVING CAREFULLY REVIEWED DEPTY SECRETARY'S CONVERSATION WITH MAREVS (REF A), WE OFFER SUGGESTIONS AS TO NEXT STEPS. THERE ARE SOME FACTS REPORTED IN EARLIER MESSAGES WHICH NEED TO BE RECALLED AND SHOULD INFLUENCE OUR STRATEGY. WHILE WE SHOULD RECOGNIZE THAT PROSPECTS FOR CHILDREN'S RELEASE ARE CONFIDENTIAL

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NOT GOOD, IN OUR VIEW THE USG HAS NOT YET PLAYED OUT ITS HAND AND THERE REMAIN ACTIONS THAT CAN AND SHOULD BE TAKEN IN VERY NEAR FUTURE, PREFERABLY AT DEPUTY SECRETARY LEVEL.

3. SOME MONTHS AGO, IN REF B, PARA 6, WE NOTED THAT MAREV'S DEMONSTRATION AFFRONT'S GOB AND INCREASES ITS RELUCTANCE TO SETTLE MATTER. THAT REINS OUR JUDGEMENT. AT THAT TIME

WE ALSO CITED A TRUSTED LOCAL EMPLOYEE AS SAYING THAT POSITIVE GOB ACTION IS NOT TO BE EXPECTED AS LONG AS MAREVS CONTINUE THEIR DEMONSTRATION IN WASHINGTON. THAT MAY OR MAY NOT HAVE BEEN HER OWN OPINION, BUT IF IT WAS SUGGESTED TO HER BY BULGARIAN AUTHORITIES IT WOULD HAVE BEEN ALL THE MORE IMPORTANT. WHILE MAREVS MAY BELIEVE THAT PUBLICITY IN US HAS IMPROVED THEIR POSITION VIS-A-VIS GOB, WE ARE CONVINCED IT HAS ONLY AGGRAVATED GOB DISTASTE FOR RESOLVING THE CASE, MAKING IT EVEN LESS RECEPTIVE TO OUR DEMARCHES.

4. THUS WE BELIEVE THAT MAREVS' PAST AND PRESENT ACTIONS ARE A MAJOR PART OF THE PROBLEM AND OBSTRUCT A POSITIVE SOLUTION. FINAL BULGARIAN DECISION TO AGREE TO PLACE A VISA IN MRS. MAREV'S US PASSPORT DOUBTLESS WAS TAKEN ONLY OVER CONSIDERATION OPPOSITION WITHIN BULGARIAN BUREAUCRACY. HER REFUSAL TO TAKE THE OFFER THUS HAS THE EFFECT OF "CONFIRMING" POSITION OF THE HARDLINERS. THOSE IN MFA WHO MAY HAVE URGED SETTLEMENT ARE NOW ALL THE MORE LIKELY TO KEEP SILENT. WE ALSO DRAW ATTENTION TO REF C, PARA 4, WHICH REPORTED THAT "AS PART OF THEIR EFFORTS OVER THE PAST SEVERAL YEARS TO OBTAIN THE RELEASE OF THEIR CHILDREN FROM BULGARIA M M ON AT LEAST FOUR SEPARATE OCCASIONS MAREV (HAD) CONTACTED WHAT HE DESCRIBED AS 'THE UNDERGROUND' IN AN EFFORT TO FIND SOMEONE WHO WOULD SMUGGLE HIS CHILDREN OUT OF BULGARIA."

5. UNDER THESE CIRCUMSTANCES, ONE CAN IMAGINE HOW MANY BULGARIAN BUREAUCRATIC INTERESTS LINE UP AGAINST A FAVORABLE RESOLUTION: BY THIS TIME THEY MUST EXTEND FROM THE HARDLINE FACTION IN MFA CONSULAR DEPT TO DEPT OF INTERNAL AFFAIRS TO CONFIDENTIAL

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JUSTICE DEPT AND, VERY LIKELY, COMMUNIST PARTY SECRETARIAT. ANYTHING WE DO, THEREFORE, MUST BE CALCULATED TO REACH HIGHEST LEVELS OF BULGARIAN GOVT; AND, IN MFA THE MINISTER HIMSELF WHO IS CANDIDATE MEMBER OF POLITBURO.

6. THERE IS, OF COURSE, A CSCE ANGLE TO MAREV CASE, BUT WE SHOULD NOT EXPECT THIS TO BE A MAJOR FACTOR IN BULGARIAN WILLINGNESS TO RECONSIDER. BULGARIANS GENERALLY DO NOT EMBARRASS EASILY AND, MORE IMPORTANTLY, THEY HAVE BUILT UP A FAIRLY CREDITABLE RECORD ON DIVIDED FAMILIES SO THAT THEY PROBABLY EXPECT TO BE ON THE OFFENSIVE, RATHER THAN DEFENSIVE, IN BELGRADE. WE WILL PROBABLY GAIN LESS FROM REFERRING TO BELGRADE THAN FROM CASTING ISSUE IN TERMS OF OUR BILATERAL RELATIONS, POINTING OUT THAT GOB IS NEEDLESSLY HANDICAPPING ITSELF, JEOPARDIZING, ESPECIALLY WITH THE CONGRESS, WHAT IS A SIGNIFICANT RECORD OF CHANGE IN DIVIDED FAMILY CASES. YET EVEN HERE WE MUST RECOGNIZE THAT US, AS A MAJOR IDEOLOGICAL OPPONENT AND MINOR TRADING PARTNER, IN ABSENCE OF MFN NEGOTIATIONS HAS LITTLE LEVERAGE.

7. DESPITE FOREGOING, WE DO CONSIDER THAT THERE ARE TELLING POINTS IN THE MAREV CASE TO BE EXPLOITED WITH GOB (THOUGH WE ALSO THINK MAREVS NEED A MORE SOBER AND REALISTIC VIEW OF WHAT THEIR REAL SITUATION IS). IN PARTICULAR, CLAIM BY PUBLIC PROSECUTOR (AND MFA) THAT MAREVS HAVE ABANDONED THEIR CHILDREN IS AT BESHA HALF-TRUTH AND CAN BE DEMOLISHED BY POINTING TO EFFORTS MADE IN 1972 AND 1976 (BY THEN DE FACTO GUARDIAN OF THE CHILDREN AS RESULT OF CORRESPONDENCE WITH MAREVS) TO OBTAIN PASSPORTS FOR THE GIRLS, WHICH APPLICATIONS WERE ORALLY REFUSED BY BULGARIAN AUTHORITIES. SEE REF G. PARENTS WHO FOR AT WAST FIVE YEARS HAVE NOT CEASED EFFORTS TO OBTAIN PERMISSION FOR THEIR CHILDREN TO JOIN THEM CANNOT BE DESCRIBED TO INFORMED PUBLIC OPINION AS HAVING ABANDONED THEM.

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TO SECSTATE WASHDC PRIORITY 2805

C O N F I D E N T I A L SECTION 2 OF 2 SOFIA 0912

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8. ANOTHER GOOD POINT, SUGGESTED REF D, PARA 4, RELATES TO DAUGHTERS' 1974 LETTER DESCRIBING BEATINGS. IF MAREVS STILL HAVE LETTER AND WILL PERMIT REFERENCE TO IT, AND PARTICULARLY IF BEATINGS WERE INFLICTED BY EMPLOYEES OF THE CHILDREN'S INSTITUTION, BULGARIAN WOULD HAVE GOOD REASON TO FEAR PUBLICITY ABOUT SUCHDVNGS. AS BROUGHT OUT IN JELYAZKOV AND KHRISTOV CASES, WHILE BULGARIANS TEND TO DISCOUNT ANY LEGAL RIGHTS OF CHILDREN, THEY TEND TO BE VERY PROTECTIVE OF THEIR PHYSICAL WELL-BEING. THEY SHOULD THUS BE CONCERNED ABOUT PUBLICITY OF PAST MISTREATMENT.

9. WHETHER OR NOT MRS. MAREV DECIDES TO VISIT BULGARIA IN NEAR FUTURE, WE RECOMMEND THAT DEPUTY SECRETARY CALL IN AMBASSADOR POPOV AND MAKE TO HIM THE FOLLOWING POINTS:

A. WE STILL ARE NOT SURE THAT OUR CONCERN AS TO POLITICAL DAMAGE TO BULGARIA, RPT TO BULGARIA, FROM MAREV CASE IS UNDERSTOOD BY RIGHT PEOPLE AT RIGHT LEVEL IN SXIA. EXPLICIT REFERENCE MIGHT BE MADE TO AMBASSADOR'S DECEMBER 22 DEMARCHE TO VICE FOREIGN MINISTER TSVETKOV (REF E) THAT THIS CASE BE TAKEN OUT OF HANDS OF "TECHNICAL" PERSONNEL AND "PLACED IN BROADER POLITICAL CONTEXT".

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B. BY ITS OWN ADMISSION (REF F), GOB IS TRYING TO PUNISH MAREVS FOR THEIR ALLEGED EFFORTS TO PUT BULGARIAN IN BAD LIGHT. USG IS NOT AMUSED BY IMPLICATION BY HEAD OF MFA CONSULAR DEPT (WHICH NOW HAS ALSO APPEARED IN BULGARIAN PRESS) THAT "SOMEONE" HAS PUT MAREVS UP TO THIS. IN ANY CASE, SOFIA SHOULD UNDERSTAND THAT IMPENDING COURT ACTION IN CA TO DEPRIVE MAREVS OF THEIR PARENTAL RIGHTS HAS POTENTIAL FOR CREATING MUCH WORSE PUBLICITY FOR BULGARIAN IN US, NULLIFYING TO CONSIDERABLE DEGREE CONSTRUCTIVE EFFORTS MADE BY GOB TO SETTLE SO MANY OF THE DIVIDED FAMILY CASES, IN ACCORDANCE WITH PRESIDENT ZHIVKOV'S STATEMENTS TO DEPUTY SECRETARY INGERSOLL AND SECRETARY BUTZ.

C. RECORD SHOWS THAT MAREVS ATTEMPTED TO OBTAIN PASSPORTS FOR THEIR CHILDREN IN 1972 AND AGAIN IN 1976, BOTH TIMES BEING REFUSED BY BULGARIAN AUTHORITIES. THUS CONTENTION OF VARNA PUBLIC PROSECUTOR (AND MFA) THAT MAREVS ABANDONED THEIR CHILDREN AND SHOWED NO CONCERN FOR THEM FOR MANY YEARS IS PROVED FALSE AND WOULD BE SEEN AS SUCH BY INFORMED PUBLIC OPINION. WE BELIEVE GOB IS MAKING A MISTAKE BY ALLOWING VARNA PROCEEDING TO TAKE PLACE AS SCHEDULED. AS LONG AS MAREV CASE IS SUBJECT OF DIPLOMATIC EXCHANGES, WE STRONGLY REQUEST THAT COURT PROCEEDINGS BE PUT OFF, PARTICULARLY SINCE IT IS YET POSSIBLE THAT MRS. MAREV MAY DECIDE TO TAKE ADVANTAGE OF THE VISA FACILITIES AND GUARANTEES OFFERED BY GOB TO VISIT HER CHILDREN.

D. DEPUTY SECRETARY SHOULD THEN LET POPOV HAVE SUBSTANCE OF PARA 8 ABOUT DOCUMENTARY EVIDENCE THAT CHILDREN HAVE BEEN VSTREATED BY STAFF OF PUBLIC INSTITUTION IN WHICH THEY WERE PLACED, AGAIN REFERRING TO EFFECT ON "INFORMED PUBLIC OPINION". THIS ARGUMENT SHOULD BE USED TO REINFORCE PLEA THAT COURT PROCEEDINGS BE POSTPONED, LEAST GOB GIVE FURTHER IMPRESSION IT IS ATTEMPTING TO PRESENT USG AS WELL AS MAREVS WITH KIHACCOMPLI.

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E. DEPUTY SECRETARY MIGHT THEN GO ON TO SAY THAT WE COMPLETELY UNDERSTAND WHY GRANTING EXIT PERMISSION TO MAREV GIRLS (ASSUMING THEY WISH TO LEAVE) WOULD BE POLITICALLY VERY DISTASTEFUL TO GOB. WE ARE NOT SURE, HOWEVER, THAT GOB UNDERSTANDS HOW DAMAGING IT IS FOR THEM TO APPLY CLEAR POLITICAL CRITERIA TO EXIT OF CHILDREN. MR. ZHELENSKI, CHIEF OF MFA CONSULAR DEPT, TOLD AMBASSADOR HERZ FEB 17 (REF D) THAT "EVEN IF THE CHILDREN WANTED TO GO TO US WE WOULD NOT ALLOW THEM TO LEAVE. WE WILL NOT CONSIDER CASES WHERE THE PEOPLE ARE WORKING AGAINST BULGARIA." HE POINT OF THE HELSINKI FINAL ACT IS THAT HUMANITARIAN, NOT POLITICAL CRITERIA SHOULD BE APPLIED IN FAMILY REUNIFICATION CASES.

F. DEPUTY SECRETARY SHOULD ALSO BE PREPARED, AS WE SUGGESTED IN REF I, TO STATE THAT WE HAVE TAKEN ACTION IN KHRISTOV CASE, INVOLVING BULGARIAN CHILD IN US AND THAT WE ARE CONVINCED THAT BULGARIAN EMBASSY COULD HAVE FULL AND PRIVATE ACCESS TO YOUNG KHRISTOV IF DESIRED. THIS IS VERY IMPORTANT BECAUSE POPOV SHOULD NOT BE LEFT WITH AN OPPORTUNITY TO SCORE A POINT DURING HIS INTERVIEW WITH THE DEPUTY SECRETARY. IN THIS CONNECTION, WE HAVE STILL RECEIVED NO REPLY FROM DEPT TO REF J CONCERNING THE LEGALITY OF THE APPOINTMENT OF A GUARDIAN IN THE KHRISTOV CASE.

10. FRANKLY, WE ARE DOUBTFUL THAT THE FOREGOING WILL MOVE THE MAREV CASE MUCH CLOSER TO RESOLUTION, BUT IT MAY AT LEAST PREVENT THE BULGARIANS FROM CEMENTING THEMSELVES FURTHER IN THEIR PRESENT POSITION BY THE VARNA COURT ACTION SCHEDULED FOR MAY 20. WE STILL BELIEVE THAT THE BEST CHANCE FOR SUCCESSFUL RESOLUTION LIES IN A VISIT BY MRS. MAREV, ACCOMPANIED BY AN END TO THE DEMONSTRATION. BARRING THIS, THE BEST CHANCE OF FAVORABLE RESOLUTION WOULD BE IN CONNECTION WITH A CABINET-LEVEL VISIT TO SOFIA (AGAIN ACCOMPANIED BY AN END TO THE DEMONSTRATION). IT IS ON SUCH OCCASIONS THAT GOB USUALLY REMOVES SKELETONS FROM ITS CLOSET.

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11. WE HAVE ALSO, OF COURSE, CONSIDERED WHAT SANCTIONS WE COULD APPLY TO BULGARIA FOR NOT YIELDING THE LITTLE GIRLS. CONCEIVABLY WE COULD WITHDRAW OUR PERMISSION FOR THE SAN FRANCISCO COMMERCIAL OFFICE. IT IS OUR JUDGEMENT THAT SUCH ACTION WOULD NOT BUDGE THE BULGARIANS AT ALL. IN ANY CASE, AS SUGGESTED IN ANOTHER MESSAGE, WHEN MRS. ZHIVKOVA (DAUGHTER OF THE BULGARIAN PRESIDENT) COMES TO WASHINGTON IT SHOULD BE EXPLAINED TO HER THAT, RIGHTLY OR WRONG, THE MAREV CASE IS JUST ABOUT ALL THAT MANY IN WASHINGTON AND ELSEWHERE IN THE US KNOW ABOUT BULGARIA;

AND THE QUESTION MIGHT BE ASKED WHETHER "TEACHING THE MAREVS  
A LESSON" IS REALLY WORTH WHAT THIS COSTS THE GOB IN TERMS  
OF AMERICAN PUBLIC AND CONGRESSIONAL OPINION.  
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## Message Attributes

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